

1. Attendance and Apologies

Members

Cr Sharon Cadwallader (Chair)
Cr David Wright (Mayor)

Shaun Eastment, Lennox Head Residents Association (via Zoom)
Brad Pollard, Lennox Head Chamber of Commerce (via Zoom)
Alan Veacock, Cumbalum Residents Association Inc. (via teleconference)
Mike Heeson, Lennox Head Landcare (via Zoom)
Claudia Caliri – Ballina Environment Society (via Zoom)

Council Staff

Kelly Brown, Director Corporate and Community Division
John Truman, Director Civil Services Division
Janelle Snellgrove, Secretary

Attended as an observer

John Bout – Summerhill Residents Group (via Zoom)
Lucy Vader (via Zoom)

Apologies

Lorraine Leuckel – Marine Rescue Ballina
Cr Johnson
Darel Vidler, Lennox Head Combined Services Association
Lou Wilson, Lennox Head Alstonville Surf Life Saving Club

2. Guests

Cheyne Willebrands – Manager Open Spaces

3. Declarations of Interest

Nil.

4. Confirmation of Minutes

That the Minutes of the "B" Ward Committee held on 21 September 2020 be taken as read and confirmed. (Shaun Eastment / Claudia Caliri)

5. Outstanding Business - 21 September 2020

(a) Offleash Dogs

Cr Cadwallader acknowledged the concerns of committee members and advised that she has requested a report on incidences from Council and that Council is trying to police and assist with the problem.

Cr Cadwallader discussed the incidents of dog attacks in our Shire and referred to a newspaper article in the Northern Star on 5 November 2020 relating to dog statistics incidences for Ballina Shire.

A copy of the newspaper article has been provided in Attachment 1.

(b) Climate Change Emergency

Claudia Caliarì enquired how Council are investing towards climate change.

Staff response was provided in the agenda. The information contained in the agenda was noted.

(c) EPIQ Sporting Club Construction Status

Darel Vidler enquired about the status for the tenders for the construction of the sporting club.

Staff feedback was provided in the Agenda. The information contained in the agenda was noted.

(d) Lake Ainsworth Planting

Shaun Eastment enquired about landscaping to be undertaken Lake Ainsworth. Landcare are currently propagating plants and has concerns that local plants won't be used. Shaun asked to be involved in the planting decision and discuss the matter further with Cheyne.

Staff feedback was provided in the Agenda. The information contained in the agenda was noted.

6. Business with Notice from Members

(a) Vandalism at Lake Ainsworth

Crs Wright and Cadwallader requested that vandalism at the northern end of Lake Ainsworth be discussed.

Crs Wright and Cadwallader advised that they have met with concerned community members about the vandalism at Lake Ainsworth. Cr Cadwallader advised there will be a Notice of Motion put to the November Ordinary meeting about Lake Ainsworth vandalism and commended Open Spaces for their involvement in maintaining Lake Ainsworth.

Cheyne Willebrands explained from an operational perspective Council are aware of the vandalism issues at Lake Ainsworth. Council have been working with the crime prevention officer for new strategies.

Mike Heeson enquired what the restrictions are at Lake Ainsworth and suggested Lake Ainsworth be an alcohol free zone at night.

Cr Wright explained the difficulties with enforcing "no alcohol" zones on Council land but supported additional security when events are on. The police are aware of the vandalism at the Lake.

Shaun Eastment commented that problems at Lake Ainsworth have recently improved.

(b) Unauthorised Camping

Cathy Byrne raised concerns about the increase in unauthorised camping (including homeless and backpackers) between Black Head, Flat Rock, Shelly and Angels Beach and raised the following questions:

- Would Council consider revisiting a free camping site at Bicentennial Park or another site?
- What are the enforcement regimes?
- Requested additional signage in these areas.

Staff provided a response in the Agenda. The information contained in the agenda was noted.

Cathy Byrne further advised Ballina Coastcare have noticed an increase in campsites in the last few months which appear to be travelers and requested Council consider identifying alternative sites that could be available to campers.

Cr Cadwallader commented that council has considered free camping previously but local caravan parks felt it would be taking business from them.

Kelly Brown explained the protocol council staff need to follow where homeless are concerned.

(c) Coastal Signage

Cathy Byrne requested and update on the progress of Coastcare signage.

Staff provided a response in the Agenda. The information contained in the agenda was noted.

Cathy Byrne further added the current signage doesn't indicate "Walkers Only".

Cheyne Willebrands advised 'Walkers Only' signage will be considered.

(d) Plant Identification Training

Cathy Byrne has requested plant identification training and strategies for weed management of specific species for Coastcare members, particularly for new members. Requested Council consider assisting by enabling Council nursery staff meet with Coastcare members regularly at different sites for an hour for a sustained period of several months in 2021.

Cheyne Willebrands advised Council would be able to facilitate to assist, promote, educate and support the volunteer groups and will work with the relevant parties to arrange the training which could include Jali subject to their availability.

Claudia Caliarì requested Ballina Environment Society be involved in the training also.

Action: Referred to Open Spaces to investigate training opportunities.

(e) Green Waste Service for Businesses in Lennox Head

Brad Pollard raised concerns as a cafe business in Lennox recently described an experience they had with regards to councils green waste service. The business arranged for two green waste bins as they wanted to divert food waste away from landfill and enjoy a reliable scheduled pickup service. At a cost of approximately \$400 per bin, this is unaffordable for most other cafes therefore food waste is being thrown into general waste and ending up in landfill. Additionally, the bins have regularly not been picked up because they were too heavy.

Brad requested clarification on whether there was anything that could be done to reduce the cost to businesses that wish to do the right thing environmentally and the reasoning behind weight restriction being applied to the service. It was noted that this was a further hurdle for businesses to make when they just want to do the right thing environmentally.

Cr Cadwaller provided the following information received from staff on this matter:

Council's fees and charges include an annual charge of \$330 per annum for a commercial organics service. This includes a weekly collection of a 240L organics bin. The charge for the commercial organics service aims to incentivise and encourage resource recovery for relevant businesses through accessibility and cost savings (a general waste service is \$379 per annum).

In theory, shifting the volume of organic waste generated by a food business into an organics bin service will reduce the volume of waste in the general waste bin by a commensurate amount. As such, the cost of additional organics services should be offset by a reduction in costs associated with reduced requirement for general waste services.

A weight restriction on 60 kilograms is applied to all bins throughout the shire due to the engineering limit of the hydraulic lifting arm on the collection vehicle. If a bin is too heavy to be collected, the customer is notified by a sticker applied to the top of the bin advising as such.

Relating to the concern raised to the committee, it is noted that the NSW EPA grant funded 'Bin Trim' program has recently commenced within the Northern Rivers region, focused on improving waste management practices within businesses (see following link for more information on the program <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/business-government-recycling/bin-trim>).

Whilst Council is not directly responsible for administering the program – it is being delivered by waste consultancy groups in the region who were successful in receiving grant funding for the program - Council's Resource Recovery team is offering those groups support via various channels to assist in the successful implementation of the program.

For example, the issue of overweight organics bins was identified early in the roll-out of the program. Businesses were provided the opportunity to remove some of the waste within the bins so they were under the weight threshold, and offered a free recollection. In addition, Council staff provided information and educational material to the consultancy groups working with the businesses to try and prevent subsequent non-collections.

The North East Waste regional waste group (of whom Ballina is a member Council) was one group successful in receiving funding for their program which specifically targets improving waste management in cafes, with a focus on diverting organics waste from landfill.

Noting that cost may be perceived by business owners as a potential barrier to trialling and implementing improved waste diversion practices, North East Waste have utilised part of their grant funding to cover Council's collection charge (\$330) for the first year of the organics service for cafés that sign up to the program.

Not only does this incentivise each business to sign-up to the program to improve their waste management practices, it also enables each business to conduct a cost benefit analysis over an annual period without the perceived initial cost barrier.

To date, 17 Ballina shire café businesses have signed up to the program with North East Waste.

The information provided by staff was noted.

John Truman further added there was a recent contamination audit. Results indicate there is an improvement since the last audit in 2016. There will be a Councillor briefing in November to compare contamination rates.

Brad Pollard commented he would like a better understanding and requested the matter be discussed further after results have been release.

John Truman and Cr Cadwallader suggested an information session with Samala Heart, Council's Waste Education Officer.

Action: Referred to Civil Services to arrange education session for businesses.

(f) Roundabout Landscaping/Maintenance

Brad Pollard requested Council maintain the landscaping on the roundabout on Byron Bay Road/North Creek Road as it is currently looking tired and covered with dirt. As this roundabout is one of two entrances to the village and town centre Brad has requested the roundabout is maintained on a regular basis.

Mike Heeson asked if it will be a vegetation redesign.

Cheyne Willebrands advised Council have identified the need to redesign the vegetation for this roundabout but also need to consider water flow and retention as it causes problems with the vegetation. Council are committed to addressing the matter this financial year.

(g) Concrete Barriers and Wire Fencing – Ballina Street, Lennox Head

Brad Pollard raised the unattractive appearance of the concrete barriers topped with wire fencing that were installed along Ballina Street, Lennox Head (between Byron Bay Road/North Creek Road roundabout and Allens Parade), possibly to retain the soil, rock and vegetation behind it. To improve the entrance to town Brad requested Council extend and continue the existing black rock wall retainer to the roundabout. This is a beautiful strip and entrance to town.

Cr Cadwallader provided the following information received from staff on this matter:

The construction of the retaining wall and fencing was undertaken during 2016 for road and pedestrian safety reasons. The extremely steep embankment on the western side of Ballina St had failed in places and loose rocks had also fallen onto the road. Immediate safety measures were installed to respond to these local failures such as short sections of fencing and short sections of retaining wall (which protruded onto the path). A geotechnical investigation recommended a continuous retaining wall (with appropriate mass) and fencing above the retaining wall to deal with the embankment slumping and falling rocks. The total cost of the installation was approximately \$120,000. Council was also fortunate to receive TfNSW grant funding (approximately \$50,000) under a footpath/pedestrian facilities program to reinstate the original footpath width.

At present there is no budget allocated in the current 2020/24 Delivery Program and Operational Plan for this project. If the intention is to replace the existing installation with a 'bluestone' retaining wall (of appropriate mass) then at least a similar cost would be required plus demolition costs. Alternatively less expensive methods may want to be considered for the purposes of beautification outcomes. It is suggested the appropriate means for considering this project and seeking a budget would be for submissions to be made to Council's annual budget process which commences early next year.

The information provided by staff was noted.

(h) Declaration of Climate Change Emergency / Investment Policy

Claudia Caliarli raised further enquiries relating to climate change and Council's Investment Policy.

Kelly Brown advised that as a result of the recent interest at B Ward meetings in respect to Council's Investment Policy, Council officers have investigated further options in respect to environmentally responsible investments.

One example identified has been reported to November Council meeting being investments that are certified by the Climate Bond Initiative (CBI) as meeting the Climate Bonds Standard criteria. The CBI is "an investor-focused not-for-profit, promoting large-scale investment in low-carbon economy". More information can be found at (<https://www.climatebonds.net/region/australia>)

These 'green term deposits' mobilise capital towards assets that facilitate and support the transition to a low carbon economy – such as renewable energy projects and low carbon initiatives.

Similar products are offered by a number of banks, including fossil fuel aligned institutions, and it may be far more effective from an environmental outcome perspective to invest in green term deposits, rather than focusing the Council's Investment Policy on a more negative approach of not investing in fossil fuel aligned institutions.

Staff are actively seeking opportunities to invest in these products, subject to compliance with the Investment Policy, and will report on the level of 'green' deposits in the Investment Summary report presented to Council each month.

It was further noted that the Investment report will also be reviewed by Council in February 2021.

7. Business without Notice

(a) Coastal Reserve Management Plan Update

Shaun Eastment requested an update prior to Christmas on the anticipated process and draft timeline for the Coastal Reserve Management Plan and whether there would be community consultation.

Cheyne Willebrands advised the Coastal Reserve Management Plan must be adopted by June 2021 and confirmed that there would be public consultation.

(b) Filming

Shaun Eastment commented that over the last month there is an increasing frequency in filming in the area and people are becoming frustrated as the filming is interfering with lifestyle.

Cheyne Willebrands advised council is aware of higher volume of filming. Consideration is currently being given on how we can operate under the protocol and working with the film industry.

(c) Coastal Path Heritage Signage

Mike Heeson advised Landcare and residents have had discussions and support heritage signage for the Coastal Path.

John Truman advised a similar process will occur as Angels Beach signage (in conjunction with Jali). Once construction works are completed then Council will have the conversations about the signage.

(d) Hutley Drive Roundabout Traffic

Mike Heeson advised the Hutley Drive roundabout is causing issues for traffic turning right out of Greenfield Road and suggested speed limit be decreased.

John Truman advised council staff will observe the intersection and do an internal assessment.

Action: Civil Services to complete an internal assessment and report back to next meeting.

(e) Road Damage – Ballina Heights Drive

Alan Veacock commented on the large number of heavy vehicles using Ballina Heights Drive causing road damage. Alan requested Ballina Heights Drive be reconstructed and not just repatched.

John Truman advised if the damage is from construction traffic the works can be referred to the developer. The pavement needs to be completely destroyed before council will reconstruct the road.

Action: Civil Services to review whether damage is being caused from developer activities.

(f) Sealing of Euroka Drive, Cumbalum

Alan Veacock advised Cumbalum Residents Association needs a timeline for sealing of Euroka Drive and when the proposed shopping centre will be constructed.

John Truman explained the difficulties in ensuring the developer completes the works.

Cr Wright advised that he has been informed that Woolworths believe it may not be viable due to surrounding shopping in the vicinity.

Alan Veacock expressed his dissatisfaction and advised he was seeking Council support in progressing the shopping centre.

Post Meeting Update

A review of Operational Plan Activity PE1.2b: Examine Planning options to expedite the delivery of commercial and retail shops in the Ballina Heights Estate has not yet progressed however is scheduled to be undertaken this current financial year. Further update to be provided at the next meeting.

Action: Progress update on PE1.2b to be provided to next meeting.

(g) Flathead Lane, Cumbalum

Alan Veacock requested an update on Flathead Lane, Cumbalum.

John Truman advised a report was being prepared for the December Ordinary meeting.

Action: Update to be provided at next meeting.

(h) Planning for Wildlife Corridors

Shaun Eastment sought confirmation that the Planning for Wildlife Corridors would be undertaken as part of the Biodiversity Strategy.

Cheyne Willebrands confirmed that it will be reviewed as part of the Biodiversity Strategy. An update will be provided next meeting by Strategic Services staff.

Action: Referred to Strategic Services.

(i) Lake Ainsworth Reserve Public Access

On behalf of Lyn Walker, Claudia Caliarì disputed the matter was previously resolved at Council. (refer to B Ward committee minutes, 21 September 2020, item 5(g)).

John Truman referred to advice provided at previous meeting that this matter has been resolved by Council and that the matter would have to be brought back to Council if the resolution was to be changed.

8. Council Documents on Exhibition

The list of documents currently on public exhibition was noted.

9. Next Meeting

Monday 15 March 2021 – 4.30 pm

10. Meeting closure

5.43 pm

Attachment 1

Barking mad: 76 dog attacks recorded in Ballina this year

Play Video

What do you do when a dog attacks you?



[JAVIER ENCALADA](#)

5th Nov 2020 11:00 PM

Subscriber only

A TOTAL of 76 dog attacks have been reported to Ballina Shire Council so far this year.

Councillor Sharon Cadwallader said she found out about an incident at Lake Ainsworth in late October via social media.

"Someone was bitten by a dog at Lake Ainsworth in the dog track on the way to the beach," she said.

>>> [MORE: Resident terrified after spate of violent dog attacks](#)

"(The bite) went through two layers of clothing and the person had to get a tetanus shot.

"They had to go to the doctor (...) they were quite alarmed when the owner and the person with the owner just laughed.

"Yes, there are serious incidents of dog bites in that area. Incidents of dog bites are definitely up."

According to council data, from January 1 to November 2 this year, 76 dog attacks have been reported in Ballina Shire, with the highest reports in Ballina (16), Alstonville (13), Lennox Head (12), Wollongbar (9), West Ballina (8) and East Ballina (3).

Last January, [the dog attack rate in Ballina was nearly four times the state average](#), according to data from the Office of Local Government.

In that period, council rangers issued 83 Penalty Infringement Notices (PINs) for issues such as residents failing to prevent dogs from escaping, dogs not under control in a public place, dogs rushing and attacks, bites, harasses or chases any animal or person, or due to unregistered dogs.

In addition to these dog incidents this calendar year, the council has also responded to 170 dog collection requests, and 210 complaints for roaming dogs, 56 for barking dogs and 12 for dog defecation.

Unattended dogs can be impounded by council rangers.

The owner of any dog may be issued with a \$330 fine for allowing their dog to be in the street and not on a leash.

Cr Cadwallader said coastal areas like Lennox Head and Ballina were becoming busier due to exponential growth and higher visitor numbers.

"The south end of Lake Ainsworth has become so popular with families, and companion animals have become more popular during the pandemic, so there are more dog owners around and a lot happened that is not reported," she said.

According to the OLG, there were 14,385 microchipped dogs in the Ballina local government area as of June 30, 2019.

Only in the April to June quarter of 2019, 19 people were attacked by dogs in Ballina Shire, with four cases deemed serious attacks.

Ballina Shire Council has a [Companion Animals Management Plan](#) available on its website.